



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: H.A. Ekelin & Associates--
Reconsideration
File: B-228972.3
Date: November 2, 1987

DIGEST

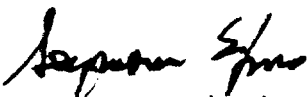
The General Accounting Office's failure to separately consider an issue that is subsumed under the principal issue upon which the decision was based does not provide a basis for reconsideration.

DECISION

H.A. Ekelin & Associates requests reconsideration of our decision, H.A. Ekelin & Associates, B-228972, Oct. 5, 1987, 87-2 CPD ¶ _____, dismissing its protest of the award of a contract under request for proposals (RFP) No. DACA05-85-R-0247, issued by the U.S. Army Corps of Engineers. We dismissed as untimely Ekelin's protest that the Army did not evaluate proposals in accordance with the evaluation criteria stated in the RFP. Ekelin now argues that we ignored its second ground for protest, that the contract wasted taxpayer dollars because Ekelin could have performed at a lower cost.

We found Ekelin's protest untimely because it was filed more than 10 working days after initial adverse action by the Army on the agency protest and also because the initial protest with the Army was untimely and therefore could not be considered by our Office. Although we did not separately address the argument concerning the cost issue, the protest on that ground is untimely for the same reasons discussed in our previous decision. We do not consider the award of a higher cost contract as a separate issue from Ekelin's protest that the Army did not properly evaluate proposals, since cost was a part of the evaluation.

The request for reconsideration is denied.

for 
James F. Hinchman
General Counsel

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